

IN THE CIRCUIT COURT OF THE 22ND JUDICIAL CIRCUIT
McHENRY COUNTY, ILLINOIS

IN RE THE MATTER OF PROCEDURES IN)	
COURTROOM 358, CIVIL DIVISION, CHANCERY,)	
PURSUANT TO THE CONTINUITY OF)	Courtroom 358, Civil Division
OPERATIONS COVID-19 PROTOCOLS)	<u>Standing Order 2020-02</u>

AMENDED SUPPLEMENTAL STANDING ORDER FOR CASES
ASSIGNED TO JUDGE SUZANNE C. MANGIAMELE

PROCEDURES DURING COVID-19 PANDEMIC CONTINUITY OF OPERATIONS

Upon reopening of the Circuit for non-emergency matters, and so long as the Circuit's Pandemic Continuity of Operations remains in place, including social distancing guidelines, the Court sets out the following guidelines for procedures regarding various matters, supplementing and, where appropriate, amending the Court's current Standing Order.

Safety Guidelines: So long as social distancing guidelines remain in effect, ALL persons entering the courtroom shall wear a protective mask that covers the mouth and nose; shall stay at least six feet away from others who are not members of their household; and shall follow all directions of the Court Security Officer.

1. Courtroom 358 is assigned the **Civil III Court Call**. The cases for the Civil III court call generally include all mortgage foreclosure **Chancery (CH)** cases.
2. **Court Schedule: Monday – Friday**

TIME	ACTIVITY
8:45 a.m.*	Contested motion hearings as set by the Court; emergency motions; and other matters as set by the Court.
9:45 a.m.**	CH (foreclosures); status hearings, motions being presented and uncontested motions; case management hearings; set matters as assigned; post-judgment matters including returns on citations, rules to show cause, body attachments, garnishments, and wage deductions.
10:45 a.m.	CH (foreclosures); status hearings, motions being presented and uncontested motions; case management hearings; set matters as assigned; post-judgment matters including returns on citations, rules to show cause, body attachments, garnishments, and wage deductions.
1:30 p.m.	Matters specifically set by the Court.

*No more than 4 cases will be scheduled.

**No more than 15 cases will be scheduled.

3. Electronic Documents:

- A. Electronic document filing is required in all civil matters. Additional information and assistance can be obtained through the Circuit Clerk's Office. Anyone filing an electronic document that requires an original signature certifies by so filing that the original, signed document exists in the filing person's possession. Unless otherwise ordered by the Court, the filing party shall maintain and preserve all documents containing original signatures that are filed electronically for a minimum of one year after the appellate process period has been completed.
- B. Each complaint, motion, petition, notice of motion with proof of service, notice of filing, affidavit, including but not limited to affidavit of amounts due and owing, military affidavit, attorney's fees affidavit, affidavit in support of motion, and loss mitigation affidavit, certificate/statement of service, summons **with** proof of service or non-service attached, certificate of publication with publication, notice of default, certificate of sale, receipt of sale, report of sale, certificate of publication for sale, notice of sale, broker's price opinion, or appraisal shall be filed separately electronically. FAILURE TO DO SO may result in the Court requesting documents filed as separate documents.
- C. To ensure a clean electronic record and to aid the Court in the review of the electronic record, to the extent possible, pleadings and other matters to be filed with the Clerk of the Circuit Court with regard to a case, should be filed at least seven (7) days prior to the matter being placed before the Court for resolution so as to afford the Court sufficient opportunity to review the same.

4. Motions:

All motions, notices of motion, and other pleadings must comply with Local Rules 2.01, 2.02, 2.04, 2.05, and applicable Administrative Orders and/or State of Illinois Statutes.

Parties may wish to review the Local Rules as the Local Rules limit the number of pages for motions, without prior approval of the Court to: 15 pages for motions; 15 pages for responses; and 5 pages for replies (2.01(g), 2.02(e), 2.04(a) and (b)). Each motion, contested or not, is required to provide the Supreme Court Rule, Code of Civil Procedure section, or other statutory section on which it is based (2.01(d)).

- A. **Contested Motion Hearings** are set at 8:45 a.m. or 1:30 p.m., depending on the nature of the hearing and the Court's schedule. Prior to hearing on contested motions, the parties shall comply with Part 2 of the Local Rules. Do **NOT** provide the Court with courtesy copies.

B. **Motions for Summary Judgment.** All motions and notices filed in a summary judgment proceeding shall be filed separately and appropriately labeled. This includes, but is not limited to any notice of motion, motion for summary judgment, 2.04 statement of fact, motion to appoint selling officer, motion for default, supporting affidavits, and motion for judgment of foreclosure. All motions for summary judgment shall be supported by a Local Rule 2.04 Statement of Fact, as provided in McHenry County Circuit Court Rule 2.04.

C. **Emergency Motions.**

"True" motions involving emergency matters are held on the Court's 8:45 a.m. call. Self-represented parties and counsel of record shall make a reasonable effort to notify the opposing party of the presentation and hearing of the emergency matter and file the emergency motion with the Clerk of the Circuit Court.

If the emergency matter is unable to be placed on the call sheet, counsel or the self-represented party shall plan on arriving at least 15 minutes before court and inform the clerk or court security officer in the courtroom of the motion. If counsel or self-represented party is appearing remotely, he or she may email the unfiled emergency motion through the proposed order email; then he or she shall contact Court Administration and advise Court Administration of the emergency matter by 8:15 a.m. so that Court Administration can inform the Court of the unscheduled emergency motion remote appearance before the Court. **ONLY** emergency matters not placed on the Court's call or not timely filed shall be forwarded through the proposed order email and clearly labeled as "Emergency Motion [for date]."

5. STATUS/CASE MANAGEMENT CONFERENCES

The Court encourages that such conferences be conducted remotely. Attorneys and litigants may use CourtCall or Zoom. Additional instructions can be found on the Circuit Clerk's website regarding virtual courtroom appearances.

To appear remotely through **CourtCall**, call 888/882-6878 at least 48 hours in advance to make arrangements to be placed on the CourtCall calendar.

To appear remotely via **Zoom**, use the following link:

Custom Link: <https://zoom.us/my/mchenrycourtroom358>

Meeting ID: 781 009 4649

The Court encourages the attorneys and parties to enter into agreed orders, especially for newer cases (which the Court defines as less than 8 months old), and to submit their

proposed agreed orders to the Court at least 3 days prior to the status/case management date through the procedure for the submission of proposed orders set out in this and other standing orders of the Civil Division. Guidelines are available on the 22nd Judicial Circuit website.

Orders set over for further status should include the specifics of the status such as service, pleadings, written discovery, discovery, loss mitigation, affidavit, or the like.

6. NON-EVIDENTIARY HEARINGS

The Court encourages that such hearings be conducted remotely. Attorneys and litigants may use CourtCall or Zoom. Additional instructions can be found on the Circuit Clerk's website regarding virtual courtroom appearances.

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The Court's previous restrictions on use of remote appearances for such hearings are lifted during pandemic operations.

The parties may also waive oral arguments on non-evidentiary motions and submit the matter for ruling based on the briefs submitted.

7. EVIDENTIARY HEARINGS AND TRIALS

The Court would prefer to hear such matters in-person in the courtroom. However, the Court acknowledges that the current pandemic may make conducting such hearings and trials in-person, in whole or in part, impractical or impossible. Therefore, the Court shall generally allow such hearings and trials be conducted, in whole or in part, remotely through an accepted video streaming service. Absent exigent circumstances, the Court will generally not accept conducting such hearings or trials through CourtCall or by other telephonic means.

8. **Courtesy Copies:** This Court previously required courtesy copies only for contested matters (i.e., matters on the 8:45 a.m. call or as specifically set as a contested matter by the Court). Do **NOT** provide the Court with courtesy copies. The Court will utilize the electronic records of the Circuit Clerk.

9. **Handling of Orders.** So long as social distancing guidelines are in place, the Court will **NOT** allow draft orders to be submitted in the courtroom, for the protection of court personnel.

10. Agreed Orders and Routine Matters

Prior to the date on which a case is scheduled, agreed orders and orders for routine matters may be submitted electronically to proposedorders@22ndcircuit.illinoiscourts.gov. Orders will be deemed agreed if countersigned by all parties or if one party expressly represents the order is the result of an agreement. Routine matters are orders for alias summons, agreed orders for continuances, and, provided that no defendant has entered an appearance, orders to dismiss.

For routine matters, the Court may draft the order and file it with the clerk absent an acceptable proposed order having been presented to the Court 3 days prior to the Court date electronically to proposedorders@22ndcircuit.illinoiscourts.gov.

For more complex matters, such as orders of summary judgment, judgment for foreclosure, and orders confirming sale, these orders may be submitted electronically to proposedorders@22ndcircuit.illinoiscourts.gov. The Court may also direct the attorney(s) to submit the order electronically through the court's proposed order system.

ONLY ORDERS SHALL BE SUBMITTED THROUGH THE PROPOSED ORDER EMAIL, NOT PLEADINGS, MOTIONS, AFFIDAVITS, OR EXHIBITS [WITH THE EXCEPTION OF UNFILED EMERGENCY MATTERS].

Dated this 3rd day of June, 2020.


SUZANNE C. MANGIAMELE
Associate Judge